

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:12-CV-309-D

WALTER D. ROACH, JR.,

Plaintiff,

v.

HILTON WORLD-WIDE, INC., EMBASSY
SUITES HOTEL RALEIGH CRABTREE,
CHRIS CARAMOSSA, and
DONNA MILLS BOSWELL,

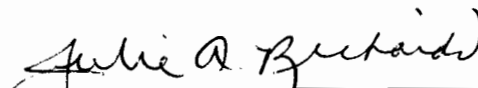
Defendants.

ORDER

On August 28, 2012, Walter D. Roach (“plaintiff”), proceeding pro se, filed a motion for entry of default against Hilton World-Wide, Inc., Embassy Suites Hotel Raleigh Crabtree, Chris Caramossa, and Donna Mills Boswell (“defendants”) [D.E. 20]. Plaintiff asserts that defendants failed to timely appear. However, on August 23, 2012, defendants filed a motion for an extension of time to respond to plaintiff’s complaint [D.E. 14], and on August 28, 2012, the clerk allowed defendants until September 23, 2012, to answer or otherwise plead [D.E. 16]. On September 20, 2012, defendants filed a motion to dismiss plaintiff’s claims [D.E. 21].

Rule 55(a) of the Federal Rules of Civil Procedure provides for entry of default against a party who “has failed to plead or otherwise defend.” Defendants timely filed a responsive pleading before the September 23, 2012, extended deadline. Accordingly, plaintiff’s motion for entry of default is DENIED [D.E. 20].

SO ORDERED. This 21st day of September 2012.


Julie A. Richards, Clerk of Court